

Extraordinary Medical Placement (EMP)

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What is EMP exactly?

Extraordinary Medical Placement is a form of partial confinement that is extended to incarcerated individuals under very specific (extraordinary) circumstances, as outlined in statute.

RCW 9.94A.728

RCW 9.94A.728: Release
prior to expiration of
sentence.

The secretary may authorize an extraordinary medical placement for an incarcerated individual when ALL of the following conditions exist *

- The incarcerated individual has **been assessed by two physicians** and is determined to be one of the following:
- Affected by a **permanent or degenerative medical condition** to such a degree that the individual **does not presently, and likely will not in the future, pose a threat to public safety**; or
- in ill health and is **expected to die within six months** and does not presently, and likely will not in the future, pose a threat to public safety;
- The incarcerated individual has been assessed as **low risk to the community** at the time of release
- It is expected that granting the extraordinary medical placement will result in a **cost savings** to the state.

*** SSB 5101 (2023) revised the previous criteria.**

Who is excluded?

- An incarcerated individual sentenced to death or to life imprisonment without the possibility of release or parole.
- Persistent offenders* are not eligible for extraordinary medical placement.
- Individuals who are requesting out-of-state placement.

*Persistent offender as defined by RCW
[RCW 9.94A.570: Persistent offenders.](#)

EMP Process starts with a referral .

Referrals can come from:



Self referral

Facility/medical
referral

Community
referral (attorney,
family, advocate,
etc.)

Goes through multiple levels of review and preparation:

- Review by two separate physicians
- Review by safety committee
- Coordination with Dep. Of Social and Health Services (DSHS) for placement assistance
- Coordination with Health Care Authority (HCA) to ensure health care coverage
- Facilitating petition for guardianship if necessary
- Coordinating with guardian when assigned

EMP Process



HEALTH SERVICES

**Headquarters Classification
Screening Committee (HCSC)**

So, how long does it take?

Currently, the average time between referral and placement is approximately 4-5 months but can be much longer.

Factors that influence timeframe:

- Medical reviews can take time
- Safety committee only meets once per week
- If the individual is non-decisional, guardianship may be needed (up to 6-month process)
- Medical and/or safety issues may require specialized placement/hard to locate.

Is there an appeal process if denied?

- There is no formal appeal process.
- Additional documentation may be submitted to support a re-review (assuming information was previously unknown/unreported).
- Individuals can submit a new referral if they believe their condition has worsened.
- Not unusual for an individual to be medically denied at initial review and then, as the condition worsens, become eligible.

Things To Remember....

EMP is not “early release” but partial confinement

Individuals access community healthcare and benefits during EMP

Individuals must adhere to DOC imposed conditions

Visitors must be approved on prison visitor list

Nurse Desk is available as a support throughout the process

Individuals could return to prison if:

- they are not following conditions of supervision.
- or IF they no longer meet EMP criteria.

Electronic monitoring will be required of all individuals in EMP except under certain conditions

Thank You

- Brooke Amyx; Health Services Reentry Administrator
- Ludmila Tschursin; EMP Coordinator

Resources:

- **Electronic Referral Form:** [WA-DOC
Extraordinary Medical Placement Referral](#)
- **DOC Website:** [Health Services | Washington State
Department of Corrections](#)
- **EMP Contact:** docemp@doc1.wa.gov

QUESTIONS??